Message

From: Fogarty, Johnpc [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8546B387C687410D88EEEE387DADDF56-JFOGAR02]

Sent: 11/3/2016 5:48:50 PM

To: Welles, Laura [Welles.Laura@epa.gov]
Subject: RE: compare word doc - Whole Foods

000ooo - sounds intriguing.

From: Welles, Laura

Sent: Thursday, November 03, 2016 1:45 PM **To:** Fogarty, Johnpc <Fogarty.Johnpc@epa.gov> **Subject:** RE: compare word doc - Whole Foods

Just as a heads up (and I know this sounds cryptic), but I may know why Whole Foods took out the second count. I'm going to track it down and let you know what I find out, etc.

From: Fogarty, Johnpc

Sent: Thursday, November 03, 2016 11:43 AM **To:** Welles, Laura < <u>Welles. Laura@epa.gov</u>> **Subject:** RE: compare word doc - Whole Foods

Got it.

From: Welles, Laura

Sent: Thursday, November 03, 2016 11:42 AM **To:** Fogarty, Johnpc < Fogarty.Johnpc@epa.gov > **Subject:** RE: compare word doc - Whole Foods

Spent mercury-containing lamps are UW.

From: Fogarty, Johnpc

Sent: Thursday, November 03, 2016 11:37 AM **To:** Welles, Laura < <u>Welles. Laura@epa.gov</u>> **Subject:** RE: compare word doc - Whole Foods

So mercury-containing light bulbs are UW or not?

From: Welles, Laura

Sent: Thursday, November 03, 2016 11:29 AM
To: Fogarty, Johnpc < Fogarty, Johnpc@epa.gov >
Subject: RE: compare word doc - Whole Foods

Sorry for any confusion...

Under the federal universal waste rule, there are 4 types of universal waste:

- 1. Batteries as described in 273.2;
- 2. Pesticides as described in 273.3;

- 3. Mercury-containing equipment as described in 273.4 (examples of mercury-containing equipment include thermostats, barometers, manometers, and mercury switches); and
- 4. Lamps (e.g., fluorescent lamps) described in 273.5

Under the federal UW rule, PCB-containing ballast is not UW.

Ex. 5 AC/AWP/DP

Does that make better sense?

From: Fogarty, Johnpc

Sent: Thursday, November 03, 2016 11:09 AM To: Welles, Laura < Welles. Laura @epa.gov> Subject: RE: compare word doc - Whole Foods

Ex. 5 AC/AWP/DP

From: Welles, Laura

Sent: Thursday, November 03, 2016 11:01 AM To: Fogarty, Johnpc < Fogarty_Johnpc@epa.gov > Subject: RE: compare word doc - Whole Foods

I spoke to both Tony and Ann re: your questions.

Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

From: Fogarty, Johnpc

Sent: Wednesday, November 02, 2016 5:20 PM To: Welles, Laura < Welles. Laura@epa.gov> Subject: RE: compare word doc - Whole Foods

I will review tomorrow.

Btw, it appears that the PCBs are in the fluorescent light ballasts, which are part of the fixture and not part of the light tubes themselves.

Ex. 5 AC/AWP/DP Ex. 5 AC/AWP/DP

Ex. 5 AC/AWP/DP

From: Welles, Laura

Sent: Wednesday, November 02, 2016 5:01 PM To: Fogarty, Johnpc < Fogarty_Johnpc@epa.gov > Subject: compare word doc - Whole Foods

I couldn't find any track changes on the WF revised draft and so I compared the two – see attached.

Laura Welles Attorney Advisor Waste and Chemical Enforcement Division Office of Civil Enforcement U.S. Environmental Protection Agency (202) 564-2754